

HONORABLE BARBARA JACOBS ROTHSTEIN

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 AT SEATTLE
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UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

GENESEE SERVICES CORP , a Washington
 Corporation,

Plaintiff,

v

BRUCE T. BERNSTEIN, an individual,

Defendant

Case No.. C01-1297R

**DEFENDANT BRUCE T. BERNSTEIN'S
 MOTION TO DISMISS, STAY OR
 TRANSFER THIS ACTION IN FAVOR
 OF ANOTHER PENDING ACTION**

**NOTE ON MOTION CALENDAR:
 October 5, 2001**

ORAL ARGUMENT REQUESTED

Defendant Bruce T. Bernstein ("Mr. Bernstein") moves this Court for an Order which either dismisses, stays, or transfers this declaratory judgment action in favor of *Bernstein v Genesee Services Corporation*, Southern District of New York Civil Action No. 01-CV-8041, brought by Mr Bernstein against Plaintiff Genesee Services Corporation and several of its officers and employees. This motion is based upon Mr. Bernstein's memorandum in support hereof, the Declaration of Facts of Stuart B. Newman in support hereof, and the declaration of Bruce T Bernstein in support hereof, all filed contemporaneously.

DATED this 17th day of September, 2001

STOKES LAWRENCE, P S.

By. Mark E. Maynes
 Mark E. Maynes (WSBA #22721)
 Attorneys for Defendant Bruce T Bernstein

MOTION TO
 ACTION IN FAVOR

ORIGINAL

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